

Customer No.: 31561
Application No.: 10/709,332
Docket No.: 12889-US-PA

REMARKS

Present Status of the Application

The Examiner's indication of allowable subject matter in Claims 9, 13 and 23 is noted with great appreciation.

Claims 1-26 remain pending of which Claims 1, 15, 25 and 26 have been amended to more clearly describe the claimed invention. It is believed that no new matter adds by way of amendments to Claims or otherwise to the present application.

For at least the following reasons, Applicant respectfully submits that claims 1-26 are in proper condition for allowance. Reconsideration is respectfully requested.

Discussion of the claim rejection under 35 USC 103

1. The Office Action rejected claims 1, 5-8, 10, 15, 19-22 and 24-26 under 35 U.S.C. 103(a) as being unpatentable over Nanto et al. (US-6,297,590, hereinafter Nanto).

In response to the arguments filed on December 27, 2005, the Examiner stated that the recitation of a cold cathode fluorescence lamp for use as a backlight source of a LCD has been given patentable weight because the recitation occurs in the preamble. The preamble is not generally accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone (*Hirao*, 535 F.2d.67, 190 USPQ 15(CCPA 1976) and *Kopra v. Robie*, 187.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Applicants respectfully submit that, in consideration of the Examiner's statement

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above, Applicants amended the proposed independent claims 1, 15, 25 and 26 as recited above, where the amended proposed independent claims 1, 15, 25 and 26 clearly recites that the cold cathode fluorescent flat lamp is used to serve as a backlight source of a liquid crystal display (LCD) panel.

As the Applicants previously argued that Nanto substantially teaches a structure of a surface discharge plasma display panel, which is a self-illuminant type of a display panel. In other words, the surface discharge plasma display panel of Nanto itself is a self-illuminant type of a display panel and it is not used as a backlight source of a LCD panel (for illuminating an LCD panel).

Thus, it is clear that Nanto substantially fails to teach or disclose a cold cathode flat lamp for use as a backlight source of a LCD panel, instead Nanto substantially teaches a structure of a plasma display panel, and therefore Nanto cannot possibly meet the amended proposed independent claims 1, 15, 25 and 26 in this regard.

Furthermore, the phosphor layer 28 of Nanto, which is formed on the phosphor film 24 (fluorescence layer); which the Examiner interpreted as equivalent of the first light control layer of the claimed invention; in fact completely overlaps or covers the whole phosphor film 24 (FIG. 13). Thus, it is clear that Nanto cannot possibly teach or disclose a first light control layer, disposed overlapping portions of the fluorescence layer corresponding to the light exit plane such that intensity of light exiting from the first control layer is substantially same as that of light exiting from other portions of the fluorescence not overlapped by the first control layer as required the proposed independent claim 1; a light control layer, disposed overlapping portions of the fluorescence layer corresponding to the bottom surface such that intensity of light

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exiting from the portions of the fluorescence layer overlapped by the light control layer and the light control layer is substantially same as that of light exiting from other portions of the fluorescence layer not overlapped by the light control layer as required the proposed independent claim 15; a light control layer, disposed over the fluorescence layer on the first substrate, positioned corresponding to the plurality of first light emitting areas to render intensity of light exiting therefrom substantially same as that of light emitted from the second light emitting areas not overlapped by the light control layer as required by the proposed independent claim 25; and a light control layer, disposed over the fluorescence layer on the second substrate, positioned corresponding to the plurality of second light emitting areas to render intensity of light exiting therefrom substantially same as that of light emitted from the first light emitting areas not overlapped by the light control layer as required by the proposed independent claim 26. Thus, Nanto at least lacks two elements of the amended proposed independent claims 1, 15, 25 and 26, and therefore Nanto cannot possibly meet the amended proposed independent claims 1, 15, 25 and 26 in this regard.

Nanto substantially teaches a light shielding film (45), having a belt shape extending along the display line direction, formed on either internal or outer surface of the front substrate (11) is disposed to overlap each area S2 between the adjacent display lines L and sandwiched between the display electrodes X and Y for blocking the external light from entering into the plasma display panel in order to improve the display contrast (col. 3, lines 5-10). Thus, it is clear that Nanto substantially teaches a different technique compared to the claimed invention as claimed in the proposed independent claims 1, 15, 25 and 26, and therefore Nanto substantially teaches away from the claimed invention in

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regard. Thus, Nanto cannot possibly meet the proposed independent claims 1, 15, 25 and 26 in this regard.

Claims 5-8, 10, 19-22 and 24-26, which directly or indirectly depend from the independent Claims 1 and 15, are also patentable over Nanto at least because of their dependency from the allowable base claim.

For at least the foregoing reasons, Applicants respectfully submit that claims 1, 5-8, 10, 15, 19-22 and 24-26 patentably define over Nanto. Reconsideration and withdrawal of above rejections is respectfully requested.

2. The Office Action rejected claims 2 and 16 under 35 U.S.C. 103(a) as being unpatentable over Nanto in view of Park et al. (US-6,858,979, hereinafter Park'979).

Applicants respectfully disagree and would like to point out that the sidebar of Park'979 still cannot cure the specific deficiencies of Nanto for at least the reasons as substantially discussed above. Accordingly, Applicants respectfully submit claims 2 and 16 also patentably define over Nanto and Park'979 for at least the same reasons discussed above. Reconsideration and withdrawal of these rejections is respectfully requested.

3. The Office Action rejected claims 3-4 and 17-18 under 35 U.S.C. 103(a) as being unpatentable over Nanto in view of Park et al. (US-6,744,195, hereinafter Park'195).

Applicants respectfully disagree and would like to point out that the even though Park'195 discloses the discharge gases, still Park'195 cannot cure the specific deficiencies of Nanto for at least the reasons as substantially discussed above, and

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therefore claims 3-4 and 17-18 also patently define over Nanto and Park'195 for at least the same reasons discussed above. Reconsideration and withdrawal of these rejections is respectfully requested.

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CONCLUSION

For at least the foregoing reasons, it is believed that all pending claims 1-26 are in proper condition for allowance. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel to arrange for such a conference.

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Respectfully submitted,

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